

Assigned DOGM File No.: S 0230108
DOGM Lead: Wayne Western
Permit Fee \$ 150.00 Ck # 1018

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DEC 10 2009

DIV. OIL GAS & MINING

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
Telephone: (801) 538-5291 Fax: (801) 359-3940

Task ID# 3121

RECEIVED

AUG 18 2009

DIV. OF OIL, GAS & MINING

NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" mining operations which have a disturbed area of five or less surface acres at any time.

I. GENERAL INFORMATION (Rule R647-3-104)

1. Name of Mine: BLACK MAGIC
2. Legal name of entity (or individual) for whom the permit is being requested: METAMINING OF UTAH
Mailing Address: 653 E 100 NORTH
City, State, Zip: Springville UTAH 84663
Phone: 801-995-0418 Fax: _____
E-mail Address: IRON-ox-@Hotmail.com

Type of Business: Corporation () LLC (X) Sole Proprietorship (dba) ()
Partnership () General _____ or _____ limited
Or:
Individual ()

Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC) www.commerce.utah.gov.

Are you currently registered to do business in the State of Utah? ☒ Yes ☐ No

Entity # 7168293-0111

If no, contact www.commerce.utah.gov to renew or apply.

Local Business License # _____ (if required)
Issued by: County UTAH or City Springville

3. Contact Person(s)
Name: KENNETH LOWDER Title: Vice President
Address: 459 So. 300 EAST
City, State, Zip: Springville, UTAH 84663
Phone: 801-995-0418 Fax: _____
Emergency, Weekend, or Holiday Phone: 801-491-8136
E-mail Address: IRON-ox-@Hotmail.com

Contact person to be notified for: permitting (X) surety (X) Notices (X) (please check all that apply)

Name: SONGGIANG CHEN Title: PRESIDENT
Address: 1065 EAST HILLSDALE BLVD. SUITE 318
City, State, Zip: Foster City, CA 94404
Phone: 650-212-7700 Fax: 650-212-7800
Emergency, Weekend, or Holiday Phone: _____
E-mail Address: Sqchen@metawisegroup.com

Contact person to be notified for: permitting (x) surety () Notices () (please check all that apply)

Registered Utah Agent (as identified with the Utah Department of Commerce) (if individual leave blank):

Name: KENNETH LOWDER
Address: 459 SO 300 EAST
City, State, Zip: SPRINGVILLE UTAH 84663
Phone: 801-995-0418 Fax: _____
E-mail Address: IRON-ox_@Hotmail.com

4. If Business is a Sole Proprietor:

Name of Owner: _____ Title: _____
Business Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
E-mail Address: _____

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If Business is a Corporation:

Name of Officers: _____ Title: _____
_____ Title: DIV. OIL GAS & MINING
_____ Title: _____
_____ Title: _____

Headquarters Address: _____
City, State, Zip: _____
Headquarters Phone: _____ Fax: _____
E-mail Address: _____

If Business is a Limited Liability Company: Member Managed ■ Manager Managed ■

Name of 1st Member/Manager: SONGGIANG CHEN Title: PRESIDENT
Business Address: 1065 EAST HILLSDALE BLVD. SUITE 318
City, State, Zip: Foster City, CA 94404
Phone: 650-212-7700 Fax: 650-212-7800
E-mail Address: Sqchen@metawisegroup.com

Name of 2nd Member/Manager: KENNETH LOWDER
Business Address: 653 E 100 NORTH
City, State, Zip: SPRINGVILLE UTAH 84663
Phone: 801-995-0418 Fax: _____
E-mail Address: IRON-ox_@Hotmail.com

If Business is a Partnership:

Name of Partner: _____
Business Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
E-mail Address: _____

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5. **Ownership of Land Surface:**

Private (Fee) ☐ Public Domain (BLM) ☒ National Forest (USFS) ☐ DIV. OIL GAS & MINING
State Trust Land/School Sections ☐ State Sovereign Lands ☐
Other (please describe): _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

6. **Ownership of Minerals:**

Private (Fee) ☐ Public Domain (BLM) ☐ National Forest (USFS) ☐
State Trust Land/School Sections ☐ State Sovereign Lands ☐
Other (please describe): _____

Name METAMINING OF UTAH Address 653 E. 100 N Springville UT. 84663

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s): _____

BLM Claim Numbers UMC 408343

Utah State Lease Number(s): _____

Name of Lessee(s) _____

7. **Have the above surface and mineral owners been notified in writing?**

Yes _____ No _____

If no, why not? _____

Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration prior to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.

8. **Does the Entity have legal right to enter and conduct mining operations on the land covered by this notice?** Yes _____ No _____

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II. **PROJECT LOCATION & MAP** (Rule R647-3-105)

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1. **Project Location** (legal description):

County(ies): JUAB

SE 1/4, of SE 1/4, of SW 1/4: Section: 25 Township: 14S Range: 11W
____ 1/4, of ____ 1/4, of ____ 1/4: Section: ____ Township: ____ Range: ____
____ 1/4, of ____ 1/4, of ____ 1/4: Section: ____ Township: ____ Range: ____

UTM East _____ (if known) UTM North _____ (if known)

Name of Quad Map for Location: Lady Laird

2. **Location and Operations maps** must be plotted at a scale to accurately identify locational landmarks and operations details. All maps must include a north arrow, scale, appropriate labels, and title box including the mine name, township, range and section.

a. The **general location map** must be the scale of a USGS 7.5 minute series map or equivalent (1"=2000') and identify new or existing access roads.

b. The **operations map** (1"=200' or other scale as determined necessary by the Division) must be labeled and identify:

- The area to be disturbed;
- The location of any existing or proposed operations including access roads, drill holes, trenches, pits, shafts, cuts, or other planned activities; and
- Any adjacent previous disturbance for which the operator is not responsible.

(Contact the Division for a list of consultants and land surveyors for mapping assistance.)

3. The proposed (5 acre or less) disturbed area (including access/haul roads) should be marked in the field ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

III. **OPERATION PLAN** (Rule R647-3-106)

1. Type of mining: Surface ■ Underground ■

2. Mineral(s) to be mined: MANAGANESE

3. Amount of material to be extracted, moved, or proposed to be moved: _____
Approx. 4000 yds

4. Will any water, liquid chemicals, reagents, or other solutions be used, produced or discharged as part of the mining or milling process?

Yes ■ No ■ If yes, please describe (add extra pages if needed) _____

5. Provide a brief description of the proposed mining operation and onsite processing facilities (add extra pages if necessary). WE WILL ONLY BE REMOVING

Stockpiled ORE,

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6. ■ **New Road(s):** Length _____ (ft) Width _____ (ft)
7. ■ **Improved Road(s):** Provide a description of the improvements that need to be made to existing roads to access the site, including the Length 5280 (ft) and Width 10 (ft) of improvements. Regrading
8. Total project surface acreage to be disturbed: 32 (acres) PLEASE SPECIFY EXACT ACREAGE - (this will be used to determine surety bond amount - see #VI).
9. Proposed startup date (month, year) Sept, 2009
10. Proposed completion date, if known (month, year) OCT, 2009

IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining. Please refer to The Practical Guide to Reclamation in Utah, available at www.ogm.utah.gov.

1. *Keep the mining operation in a safe, clean, and environmentally stable condition.*
2. *Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.*
3. *Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.*
4. *Construct berms, fences, or barriers, when needed, above highwalls and excavations.*
5. *Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.*
6. *Remove all waste or debris from stream channels.*
7. *Dispose of any trash, scrap metal, wood, machinery, and buildings.*
8. *Conduct mining activities so as to minimize erosion and control sediment.*
9. *Reclaim all roads that are not part of a permanent transportation system.*
10. *Stockpile topsoil and suitable overburden prior to mining.*
11. *Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.*
12. *Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.*
13. *Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)*
14. *Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.*

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V. VARIANCE REQUEST (Rule R647-3-110)

Any variance request must be approved in writing by the Division

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above (see IV. Operation and Reclamation Practices Item # 1-14), should be identified below listing applicable rule number. Give justification for the variance(s) and alternate methods or measure to be utilized. Written approval from the Division will be given, if the proposed alternative methods to be used are consistent with the Act.

Are variances being requested? Yes ☐ No ☐

1st Variance Requested

Item # _____ Applicable Rule # (i.e. R647-3-109.10 (if you did not want trenches & pits reclaimed))
Justification: _____
Alternate methods or measure to be utilized: _____

2nd Variance Requested

Item # _____ Applicable Rule # _____
Justification: _____
Alternate methods or measure to be utilized: _____

3rd Variance Requested

Item # _____ Applicable Rule # _____
Justification: _____
Alternate methods or measure to be utilized: _____

Attach additional page if more variances are requested.

VI. SURETY (Utah Code Ann. §40-8-7(1)[c])

A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations. All mining operations are required to furnish and maintain reclamation surety to guarantee that the land affected is reclaimed (Utah Code Ann. §40-8-7(1)[c]).

The reclamation surety amount is based on the nature, extent and duration of operations. The amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions. Reclamation surety for small mines is reviewed every three (3) or five (5) years and adjusted as necessary for inflation/deflation based upon acceptable Costs Index. **Contact the Division for the dollar amount required for a three (3) or five (5) year period for this project.**

I have provided or will provide surety in the form of:

- ☐ Certificate of Deposit ☐ Letter of Credit ☐ Surety Bond ☐ Cash (certified funds)
☐ Other _____ (please identify) ☒ undecided

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VII. **PERMIT FEE** (Utah Code Ann. §40-8-7(1)(i))

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A permittee's authorization under a notice of intention to conduct small mining operations shall require the paying of permit fees as authorized by the Utah Legislature (R647-3-102.5). Permit fees are assessed to new and existing small mining operations, and annually thereafter, until the project disturbances are successfully reclaimed by the Permittee / Operator and released by the Division.

Small Mine Notices require a \$150.00 fee, which must accompany this application, or the Division cannot process it.

VIII. **SIGNATURE REQUIREMENT**

(Please check the box if applicable and place your initials on the line provided)

- ☒ I have enclosed the required permit fee.
- ☐ I have enclosed/requested a Reclamation Contract (Form MR-RC) and the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.
- ☒ I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Oil, Gas and Mining and any other authorized regulatory agency.

CERTIFICATION

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; or (4.) the member or manager if applicant is a limited liability company.

Signature: Kenneth Lowder

Date: 8-14-2009

Name (typed or printed): KENNETH LOWDER

Title/Position (if applicable): Vice President

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Plan Of Operations

Operator:

Metamining Of Utah LLC

Address:

653 East 100 North Springville Utah 84663

Phone:

801-995-0418

Contact person:

Kenneth Lowder

459 So. 300 E.

Springville, Utah 84663

Phone: 801-995-0418

Tax #:

26-3645194

Claim #:

UMC 408343

Location:

SE 1/4 of SE 1/4 of SW 1/4 of section 25 T14s R11w SLBM (see attached map)

Activity:

We will be removing stockpiled ore piles, There will be no underground mining activity. We will use existing roads with some improvement, Possibly regrading, Disturbance will be five acres or less. This activity could be considered as clean up or restoration. Aprox. time to remove this ore will be 2 weeks or less. Juab County road dept. has been contacted and is ok with use of there roads, and will help with regrading if needed.

Equipment:

One rubber tired loader, One road grader, Trucks consisting of 10 Double belly dumps, hauling 42 tons each, 3 to 4 loads A day. total loads per day is 30 to 40.

Water Management Plan:

This plan will not cause any degradation, Stock piles to be removed are on level ground. This project will help prevent manganese from contaminating stream beds.

Spill Contingency plan:

If any Fuel or oil spill occurs the contained soil will be removed and replaced. No bulk fuel will be stored on site.

Monitoring Plan:

Surface water will be improved by removal of this material and will also help with vegetation, Noise and air pollution levels will be at a minimum. The nearest populated area is 18 miles from this site. There is only 6.1 miles of gravel road to be traveled by these trucks.

Reclamation:

We will scarify and reseed. (2 acres)

Cost is estimated at \$3000.00 (\$700.00 scarify \$2000.00 seeding)

Bond amount will be set by D.O.G.M.

All standards will be addressed in 43 CFR 3809.420

Start date: September 2009

Completion date: October 2009

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Metamining Claims T14s R11w SEC. 25 SW¼



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No warranty is made by the BLM for the use of the data for purposes not intended by the BLM.